

**SENATE BILL 515**  
**EMERGENCY BILL**

Unofficial Copy  
C2  
HB 1420/02 - ECM

2003 Regular Session  
3r1769  
CF 3r2431

---

By: **Senator Harris**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 2003

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Elevator Safety~~ **Elevator Renovators and Refinishers and Renovators**

3 FOR the purpose of establishing a certain elevator ~~refinisher and renovator license~~  
4 licenses; establishing a certain ~~fee fees~~ for the ~~license~~ elevator renovator  
5 licenses; requiring the Elevator Safety Review Board to adopt certain  
6 regulations ~~governing elevator refinishers and~~ regarding elevator renovators;  
7 ~~altering certain information required in a license application; exempting certain~~  
8 ~~elevator refinishers and renovators from certain requirements for licensure~~  
9 ~~until a certain date~~; defining a certain ~~term~~ terms; ~~making stylistic changes~~;  
10 providing for the effective date of certain provisions of this Act; providing for the  
11 termination of certain provisions of this Act; making this Act an emergency  
12 measure; and generally relating to elevator ~~refinishers and~~ renovators and  
13 ~~elevator safety refinishers~~.

14 BY repealing and reenacting, with amendments,  
15 Article 89 - Miscellaneous Business, Work, and Safety Provisions  
16 Section 49C(a), (g)(3), (h), (i), (j), and (n)  
17 Annotated Code of Maryland  
18 (1998 Replacement Volume and 2002 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article 89 - Miscellaneous Business, Work, and Safety Provisions  
21 Section 49C(m)  
22 Annotated Code of Maryland  
23 (1998 Replacement Volume and 2002 Supplement)

24 BY repealing and reenacting, without amendments,

1 Article - Public Safety  
 2 Section 12-801(a), (b), (g), and (h) and 12-831  
 3 Annotated Code of Maryland  
 4 (As enacted by Chapter \_\_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 2003)

5 BY repealing and reenacting, with amendments,  
 6 Article - Public Safety  
 7 Section 12-801(i) through (n), inclusive, 12-824, 12-826, 12-827, 12-828, and  
 8 12-832  
 9 Annotated Code of Maryland  
 10 (As enacted by Chapter \_\_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 2003)

11 BY adding to  
 12 Article - Public Safety  
 13 Section 12-801(i), (j), and (k)  
 14 Annotated Code of Maryland  
 15 (As enacted by Chapter \_\_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 2003)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 89 - Miscellaneous Business, Work, and Safety Provisions**

19 ~~49C.~~

20 (a) (1) ~~In this section the following words have the meanings indicated.~~

21 (2) ~~"Board" means the Elevator Safety Review Board.~~

22 (3) (i) ~~"Elevator apprentice" means a person who works under the~~  
 23 ~~direct supervision of a licensed elevator mechanic.~~

24 (ii) ~~"Elevator apprentice" includes a person commonly known as an~~  
 25 ~~elevator helper while working under the direct supervision of a licensed elevator~~  
 26 ~~mechanic.~~

27 (4) ~~"Elevator contractor" means a person who is engaged in the business~~  
 28 ~~of erecting, constructing, wiring, altering, replacing, maintaining, repairing,~~  
 29 ~~dismantling, or servicing elevators, dumbwaiters, escalators, and moving walks.~~

30 (5) ~~"ELEVATOR REFINISHER AND RENOVATOR" MEANS A PERSON WHO~~  
 31 ~~PERFORMS WORK:~~

32 (i) ~~ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL,~~  
 33 ~~INSTALLATION, OR REFINISHING OF THE NONSTRUCTURAL SURFACE OF THE~~  
 34 ~~ELEVATOR'S WALL, FLOOR, CEILING, RAIL, OR HANDLE; AND~~

1                   (II)     ~~THAT DOES NOT AFFECT THE ELEVATOR'S MOVING~~  
2 ~~OPERATION.~~

3                   (6)     "Elevator mechanic" means a person who is engaged in erecting,  
4 constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or  
5 servicing elevators, dumbwaiters, escalators, and moving walks.

6                   ~~{(6)}~~   (7)     ~~"License" includes:~~

7                           (i)     ~~An elevator contractor license; [and]~~

8                           (ii)    ~~An elevator mechanic license; AND~~

9                   (III)    ~~AN ELEVATOR REFINISHER AND RENOVATOR LICENSE.~~

10           (g)   (3)   (i)     The Board shall establish fees for the application, issuance, and  
11 ~~renewal of licenses issued under this section.~~

12                           (ii)    ~~The total amount of fees in subparagraph (i) of this paragraph~~  
13 ~~may not exceed \$100 per year for an elevator mechanic OR ELEVATOR REFINISHER~~  
14 ~~AND RENOVATOR and \$150 per year for an elevator contractor, which may be collected~~  
15 ~~for the 2-year period of the license.~~

16           (h)   (1)     Except as otherwise provided in this section, a person shall be  
17 licensed by the Board as an elevator mechanic before the person erects, constructs,  
18 wires, alters, replaces, maintains, repairs, dismantles, or services elevators,  
19 dumbwaiters, escalators, and moving walks in the State.

20                           (2)    (i)     Except as otherwise provided in this section, a person shall be  
21 licensed by the Board as an elevator contractor before the person engages in the  
22 business of erecting, constructing, wiring, altering, replacing, maintaining, repairing,  
23 dismantling, or servicing elevators, dumbwaiters, escalators, and moving walks in the  
24 State.

25                           (ii)    A licensed elevator contractor is not required for removing or  
26 dismantling conveyances that are destroyed as a result of a complete demolition of a  
27 building or where the hoistway or wellway is demolished back to the basic support  
28 structure.

29                   (3)     ~~EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON~~  
30 ~~SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR REFINISHER AND RENOVATOR~~  
31 ~~BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR REFINISHING AND~~  
32 ~~RENOVATING.~~

33                   (4)     ~~A license is not required for an elevator apprentice.~~

34           (i)    (1)     An applicant for an elevator mechanic license shall:

35                           (i)     Have an acceptable combination of documented experience and  
36 education credits, with at least 3 years of recent and active work experience in the

1 elevator industry, in construction, maintenance, and service/repair, as verified by  
 2 current and previous employers and satisfactorily complete a written examination  
 3 administered by the Board on the most recent referenced codes and standards;

4 (ii) Upon completion of 3 years of work experience as provided in  
 5 item (i) of this paragraph, have a certificate of completion of the mechanic  
 6 examination of a nationally recognized training program for the elevator industry  
 7 such as the National Elevator Industry Educational Program or its equivalent; or

8 (iii) Have a certificate of completion of an apprenticeship program  
 9 for elevator mechanics, with standards substantially equal to those of this section and  
 10 registered with the Bureau of Apprenticeship and Training, U.S. Department of  
 11 Labor, or a State apprenticeship council.

12 (2) An applicant who provides the Board with acceptable proof that the  
 13 applicant has worked as an elevator contractor or maintenance or repair person is  
 14 entitled to a license without examination if the applicant:

15 (i) Possesses sufficient ability and skill and a minimum of 3 years  
 16 of experience that is acceptable to the Board; and

17 (ii) Applies for the license on or before September 30, 2002.

18 (3) An applicant for an elevator contractor license shall have at least 5  
 19 years of work experience in the elevator industry in construction, maintenance,  
 20 service, or repair.

21 (4) ~~THE BOARD SHALL ADOPT REGULATIONS GOVERNING THE~~  
 22 ~~QUALIFICATIONS AND SCOPE OF PRACTICE OF AN APPLICANT FOR AN ELEVATOR~~  
 23 ~~REFINISHER AND RENOVATOR LICENSE.~~

24 (j) (1) ~~An applicant for a license shall:~~

25 (i) ~~Submit to the Board an application on the form that the Board~~  
 26 ~~provides;~~

27 (ii) ~~Submit to the Board any proof of eligibility the Board requires;~~  
 28 ~~and~~

29 (iii) ~~Pay to the Board or a designee of the Board, a nonrefundable~~  
 30 ~~application fee set by the Board.~~

31 (2) ~~Each application shall contain the following information:~~

32 (i) ~~If an individual, the name, residence, and business address of~~  
 33 ~~the applicant;~~

34 (ii) ~~If a partnership, the name, residence, and business address of~~  
 35 ~~each partner;~~

1 (iii) If a domestic corporation, the name and business address of the  
2 corporation and the name and residence address of the principal officer of the  
3 corporation and if a corporation other than a domestic corporation, the name and  
4 address of an agent located locally who shall be authorized to accept service of  
5 process;

6 (iv) The number of years the applicant has engaged in the business  
7 of installing, altering, repairing, ~~REFINISHING AND RENOVATING~~, or servicing  
8 elevators;

9 (v) The approximate number of individuals, if any, to be employed  
10 by the elevator contractor ~~OR ELEVATOR REFINISHER AND RENOVATOR~~ applicant,  
11 and if applicable, satisfactory evidence that the employees are or will be covered by  
12 workers' compensation insurance;

13 (vi) Satisfactory evidence that the applicant is or will be covered by  
14 general liability, personal injury, and property damage insurance; and

15 (vii) Any other information that the Board requires.

16 (m) (1) If an applicant qualifies for a license under this section, the Board  
17 shall send the applicant a notice that states:

18 (i) The applicant has qualified for a license; and

19 (ii) On receipt of a license fee set by the Board, the Board shall  
20 issue a license to the applicant.

21 (2) On payment of the license fee, the Board shall issue a license to each  
22 applicant who meets the requirements of this section.

23 (n) (1) While an elevator mechanic license is in effect, it authorizes the  
24 licensee to erect, construct, wire, alter, replace, maintain, repair, dismantle, or service  
25 elevators, dumbwaiters, escalators, and moving walks under the direct supervision of  
26 a licensed elevator contractor.

27 (2) While an elevator contractor license is in effect, it authorizes the  
28 licensee to engage in the business of erecting, constructing, wiring, altering,  
29 replacing, maintaining, repairing, dismantling, or servicing elevators, dumbwaiters,  
30 escalators, and moving walks.

31 (3) ~~WHILE AN ELEVATOR REFINISHER AND RENOVATOR LICENSE IS IN  
32 EFFECT, IT AUTHORIZES THE LICENSEE TO ENGAGE IN THE BUSINESS OF  
33 PERFORMING WORK:~~

34 (1) ~~ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL,  
35 INSTALLATION, OR REFINISHING OF THE NONSTRUCTURAL SURFACE OF THE  
36 ELEVATOR'S WALL, FLOOR, CEILING, RAIL, OR HANDLE; AND~~



1 and moving walks, known as ANSI A17.1 1971, and all subsequent amendments and  
2 revisions to it, as adopted by the Commissioner.

3 ~~{(n)}~~ ~~(O)~~ "Secretary" means the Secretary of Labor, Licensing, and Regulation.

4 ~~12-824.~~

5 ~~(a) The Board shall establish fees for the application, issuance, and renewal of~~  
6 ~~licenses issued under Part III of this subtitle.~~

7 ~~(b) The total amount of fees established under subsection (a) of this section~~  
8 ~~may not exceed, for the 2-year term of the license:~~

9 ~~(1) \$100 per year for an elevator mechanic OR ELEVATOR REFINISHER~~  
10 ~~AND RENOVATOR LICENSE; and~~

11 ~~(2) \$150 per year for an elevator contractor.~~

12 ~~12-826.~~

13 ~~(a) Except as otherwise provided in Part III of this subtitle, a person shall be~~  
14 ~~licensed by the Board as an elevator mechanic before the person erects, constructs,~~  
15 ~~wires, alters, replaces, maintains, repairs, dismantles, or services elevator units in~~  
16 ~~the State.~~

17 ~~(b) Except as otherwise provided in Part III of this subtitle, a person shall be~~  
18 ~~licensed by the Board as an elevator contractor before the person engages in the~~  
19 ~~business of erecting, constructing, wiring, altering, replacing, maintaining, repairing,~~  
20 ~~dismantling, or servicing elevator units in the State.~~

21 ~~(c) EXCEPT AS OTHERWISE PROVIDED IN PART III OF THIS SUBTITLE, A~~  
22 ~~PERSON SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR REFINISHER AND~~  
23 ~~RENOVATOR BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR~~  
24 ~~REFINISHING AND RESTORING.~~

25 ~~(D) (1) A licensed elevator contractor is not required for removing or~~  
26 ~~dismantling an elevator unit if:~~

27 ~~(i) the elevator unit is destroyed as a result of a complete~~  
28 ~~demolition of a building; or~~

29 ~~(ii) a hoistway or wellway is demolished back to the basic support~~  
30 ~~structure.~~

31 ~~(2) (i) An individual who works as an elevator apprentice under the~~  
32 ~~direct supervision of a licensed elevator mechanic need not obtain a license.~~

33 ~~(ii) An individual commonly known as an elevator helper who~~  
34 ~~works under the direct supervision of a licensed elevator mechanic need not obtain a~~  
35 ~~license.~~

1 ~~12-827.~~

2 (a) An applicant for an elevator mechanic license shall:

3 (1) (i) have an acceptable combination of documented experience and  
4 education credits, with at least 3 years of recent and active work experience in the  
5 elevator industry, in construction, maintenance, and service or repair, as verified by  
6 current and previous employers; and

7 (ii) pass a written examination administered by the Board on the  
8 Safety Code;

9 (2) (i) have completed at least 3 years of recent and active work  
10 experience in the elevator industry, in construction, maintenance, and service or  
11 repair, as verified by current and previous employers; and

12 (ii) have a certificate of completion of the mechanic examination of  
13 a nationally recognized training program for the elevator industry such as the  
14 National Elevator Industry Educational Program or its equivalent; or

15 (3) have a certificate of completion of an apprenticeship program for  
16 elevator mechanics that has standards substantially equivalent to those of Part III of  
17 this subtitle and is registered with the Bureau of Apprenticeship and Training of the  
18 U.S. Department of Labor or a state apprenticeship council.

19 (b) An applicant for an elevator contractor license shall have at least 5 years of  
20 work experience in the elevator industry in construction, maintenance, service, or  
21 repair.

22 (C) ~~THE BOARD SHALL ADOPT REGULATIONS GOVERNING THE~~  
23 ~~QUALIFICATIONS AND SCOPE OF PRACTICE OF AN APPLICANT FOR AN ELEVATOR~~  
24 ~~REFINISHER AND RENOVATOR LICENSE.~~

25 ~~12-828.~~

26 (a) (1) An applicant for a license shall:

27 (i) submit to the Board an application on the form that the Board  
28 provides;

29 (ii) submit to the Board any proof of eligibility that the Board  
30 requires; and

31 (iii) pay to the Board or designee of the Board an application fee set  
32 by the Board.

33 (2) The application fee is nonrefundable.

34 (b) Each application shall contain the following information:

1 (1) if the applicant is an individual, the name, residence, and business  
2 address of the applicant;

3 (2) if the applicant is a partnership, the name, residence, and business  
4 address of each general partner;

5 (3) if the applicant is a domestic corporation, the name and business  
6 address of the corporation and the name and residence address of the principal officer  
7 of the corporation;

8 (4) if the applicant is a corporation other than a domestic corporation,  
9 the name and address of the resident agent;

10 (5) the number of years the applicant has engaged in the business of  
11 installing, altering, repairing, REFINISHING AND RENOVATING, or servicing  
12 elevators;

13 (6) the approximate number of individuals, if any, to be employed by an  
14 applicant that is an elevator contractor OR ELEVATOR REFINISHER AND RENOVATOR  
15 and, if applicable, evidence satisfactory to the Board that the employees are or will be  
16 covered by workers' compensation insurance;

17 (7) evidence satisfactory to the Board that the applicant is or will be  
18 covered by general liability, personal injury, and property damage insurance; and

19 (8) any other information that the Board requires.

20 ~~12-831.~~

21 (a) If an applicant qualifies for a license under Part III of this subtitle, the  
22 Board shall send the applicant a notice that states:

23 (1) the applicant has qualified for a license; and

24 (2) on receipt of a license fee set by the Board, the Board shall issue a  
25 license to the applicant.

26 (b) On payment of the license fee, the Board shall issue a license to each  
27 applicant who meets the requirements of Part III of this subtitle.

28 ~~12-832.~~

29 (a) While an elevator mechanic license is in effect, it authorizes the licensee to  
30 erect, construct, wire, alter, replace, maintain, repair, dismantle, or service elevator  
31 units under the direct supervision of a licensed elevator contractor.

32 (b) While an elevator contractor license is in effect, it authorizes the licensee  
33 to engage in the business of erecting, constructing, wiring, altering, replacing,  
34 maintaining, repairing, dismantling, or servicing elevator units.

1 ~~(C) WHILE AN ELEVATOR REFINISHER AND RENOVATOR LICENSE IS IN~~  
 2 ~~EFFECT, IT AUTHORIZES THE LICENSEE TO ENGAGE IN THE BUSINESS OF~~  
 3 ~~PERFORMING WORK:~~

4 ~~(1) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL,~~  
 5 ~~INSTALLATION, OR REFINISHING OF THE NONSTRUCTURAL SURFACE OF THE~~  
 6 ~~ELEVATOR'S WALL, FLOOR, CEILING, RAIL, OR HANDLE; AND~~

7 ~~(2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.~~

8 ~~SECTION 3. AND BE IT FURTHER ENACTED, That, for any elevator~~  
 9 ~~refinisher and renovator business that was incorporated before January 1, 2001, the~~  
 10 ~~provisions of this Act do not apply until June 1, 2004.~~

11 ~~SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall~~  
 12 ~~take effect on the taking effect of Chapter \_\_\_\_\_ (S.B. 1) of the Acts of the General~~  
 13 ~~Assembly of 2003. If Section 2 of this Act takes effect, Section 1 of this Act shall be~~  
 14 ~~abrogated and of no further force and effect.~~

15 ~~SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions~~  
 16 ~~of Sections 3 and 4 of this Act, this Act shall take effect June 1, 2003.~~  
 17 ~~49C.~~

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) "Board" means the Elevator Safety Review Board.

20 (3) (i) "Elevator apprentice" means a person who works under the  
 21 direct supervision of a licensed elevator mechanic OR A LICENSED ELEVATOR  
 22 RENOVATOR MECHANIC.

23 (ii) "Elevator apprentice" includes a person commonly known as an  
 24 elevator helper while working under the direct supervision of a licensed elevator  
 25 mechanic OR A LICENSED ELEVATOR RENOVATOR MECHANIC.

26 (4) "Elevator contractor" means a person who is engaged in the business  
 27 of erecting, constructing, wiring, altering, replacing, maintaining, repairing,  
 28 dismantling, or servicing elevators, dumbwaiters, escalators, and moving walks.

29 (5) "ELEVATOR REFINISHER" MEANS A PERSON WHO IS ENGAGED IN  
 30 THE REFINISHING OF EXISTING METAL AND WOOD ELEMENTS IN ELEVATOR CABS,  
 31 INCLUDING THE STRIPPING OF OLD LACQUER ON WOOD AND BRONZE ITEMS,  
 32 STAINING WOOD TO MATCH EXISTING FINISHES, CLEANING, POLISHING, OXIDIZING,  
 33 PAINTING, LACQUERING, AND THE REMOVING OF SCRATCHES TO MAINTAIN  
 34 EXISTING FINISHES.

35 (6) "ELEVATOR RENOVATOR CONTRACTOR" MEANS A PERSON WHO IS  
 36 ENGAGED IN THE BUSINESS OF PERFORMING WORK:

1 (I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL  
 2 OR INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,  
 3 CEILING, FLOOR, RAIL, OR HANDLE; AND

4 (II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING  
 5 OPERATION.

6 (7) "ELEVATOR RENOVATOR MECHANIC" MEANS A PERSON WHO  
 7 PERFORMS WORK:

8 (I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL  
 9 OR INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,  
 10 CEILING, FLOOR, RAIL, OR HANDLE; AND

11 (II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING  
 12 OPERATION.

13 [(5)] (8) "Elevator mechanic" means a person who is engaged in erecting,  
 14 constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or  
 15 servicing elevators, dumbwaiters, escalators, and moving walks.

16 [(6)] (9) "License" includes:

17 (i) An elevator contractor license; [and]

18 (ii) An elevator mechanic license;

19 (III) AN ELEVATOR RENOVATOR CONTRACTOR LICENSE; AND

20 (IV) AN ELEVATOR RENOVATOR MECHANIC LICENSE.

21 (g) (3) (i) The Board shall establish fees for the application, issuance, and  
 22 renewal of licenses issued under this section.

23 (ii) The total amount of fees in subparagraph (i) of this paragraph  
 24 may not exceed \$100 per year for an elevator mechanic OR ELEVATOR RENOVATOR  
 25 MECHANIC and \$150 per year for an elevator contractor[,] OR AN ELEVATOR  
 26 RENOVATOR CONTRACTOR which may be collected for the 2-year period of the  
 27 license.

28 (h) (1) Except as otherwise provided in this section, a person shall be  
 29 licensed by the Board as an elevator mechanic before the person erects, constructs,  
 30 wires, alters, replaces, maintains, repairs, dismantles, or services elevators,  
 31 dumbwaiters, escalators, and moving walks in the State.

32 (2) (i) Except as otherwise provided in this section, a person shall be  
 33 licensed by the Board as an elevator contractor before the person engages in the  
 34 business of erecting, constructing, wiring, altering, replacing, maintaining, repairing,  
 35 dismantling, or servicing elevators, dumbwaiters, escalators, and moving walks in the  
 36 State.

1                   (ii)     A licensed elevator contractor is not required for removing or  
2 dismantling conveyances that are destroyed as a result of a complete demolition of a  
3 building or where the hoistway or wellway is demolished back to the basic support  
4 structure.

5                   (3)     (I)     EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON  
6 SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR CONTRACTOR  
7 BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR RENOVATING.

8                   (II)    BY JUNE 1, 2004, A PERSON WHO ENGAGES IN THE BUSINESS OF  
9 ELEVATOR RENOVATING FOR A BUSINESS INCORPORATED BEFORE JANUARY 1, 2002,  
10 SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR CONTRACTOR  
11 BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR RENOVATING.

12                  (4)     EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON  
13 SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR MECHANIC  
14 BEFORE THE PERSON PERFORMS ELEVATOR RENOVATOR WORK.

15                  [(3)]   (5)     A license is not required for an elevator apprentice.

16                  (6)     A LICENSE IS NOT REQUIRED FOR AN ELEVATOR REFINISHER.

17                  (i)     (1)     An applicant for an elevator mechanic license shall:

18                         (i)     Have an acceptable combination of documented experience and  
19 education credits, with at least 3 years of recent and active work experience in the  
20 elevator industry, in construction, maintenance, and service/repair, as verified by  
21 current and previous employers and satisfactorily complete a written examination  
22 administered by the Board on the most recent referenced codes and standards;

23                         (ii)    Upon completion of 3 years of work experience as provided in  
24 item (i) of this paragraph, have a certificate of completion of the mechanic  
25 examination of a nationally recognized training program for the elevator industry  
26 such as the National Elevator Industry Educational Program or its equivalent; or

27                         (iii)   Have a certificate of completion of an apprenticeship program  
28 for elevator mechanics, with standards substantially equal to those of this section and  
29 registered with the Bureau of Apprenticeship and Training, U.S. Department of  
30 Labor, or a State apprenticeship council.

31                         (2)     An applicant who provides the Board with acceptable proof that the  
32 applicant has worked as an elevator contractor or maintenance or repair person is  
33 entitled to a license without examination if the applicant:

34                                 (i)     Possesses sufficient ability and skill and a minimum of 3 years  
35 of experience that is acceptable to the Board; and

36                                 (ii)    Applies for the license on or before September 30, 2002.

1           (3)     An applicant for an elevator contractor license shall have at least 5  
2 years of work experience in the elevator industry in construction, maintenance,  
3 service, or repair.

4           (4)     THE BOARD SHALL ADOPT REGULATIONS GOVERNING:

5                   (I)     THE QUALIFICATION OF AN APPLICANT FOR AN ELEVATOR  
6 RENOVATOR CONTRACTOR LICENSE AND AN APPLICANT FOR AN ELEVATOR  
7 RENOVATOR MECHANIC LICENSE; AND

8                   (II)    THE SCOPE OF PRACTICE OF A LICENSED ELEVATOR  
9 RENOVATOR CONTRACTOR AND A LICENSED ELEVATOR RENOVATOR MECHANIC.

10       (j)     (1)     An applicant for a license shall:

11                   (i)     Submit to the Board an application on the form that the Board  
12 provides;

13                   (ii)    Submit to the Board any proof of eligibility the Board requires;  
14 and

15                   (iii)   Pay to the Board or a designee of the Board, a nonrefundable  
16 application fee set by the Board.

17           (2)     Each application shall contain the following information:

18                   (i)     If an individual, the name, residence, and business address of  
19 the applicant;

20                   (ii)    If a partnership, the name, residence, and business address of  
21 each partner;

22                   (iii)   If a domestic corporation, the name and business address of the  
23 corporation and the name and residence address of the principal officer of the  
24 corporation and if a corporation other than a domestic corporation, the name and  
25 address of an agent located locally who shall be authorized to accept service of  
26 process;

27                   (iv)    The number of years the applicant has engaged in the business  
28 of installing, altering, repairing, RENOVATING, or servicing elevators;

29                   (v)     The approximate number of individuals, if any, to be employed  
30 by the elevator contractor OR ELEVATOR RENOVATOR CONTRACTOR applicant, and if  
31 applicable, satisfactory evidence that the employees are or will be covered by workers'  
32 compensation insurance;

33                   (vi)    Satisfactory evidence that the applicant is or will be covered by  
34 general liability, personal injury, and property damage insurance; and

35                   (vii)   Any other information that the Board requires.

1 (m) (1) If an applicant qualifies for a license under this section, the Board  
 2 shall send the applicant a notice that states:

3 (i) The applicant has qualified for a license; and

4 (ii) On receipt of a license fee set by the Board, the Board shall  
 5 issue a license to the applicant.

6 (2) On payment of the license fee, the Board shall issue a license to each  
 7 applicant who meets the requirements of this section.

8 (n) (1) While an elevator mechanic license is in effect, it authorizes the  
 9 licensee to erect, construct, wire, alter, replace, maintain, repair, dismantle, or service  
 10 elevators, dumbwaiters, escalators, and moving walks under the direct supervision of  
 11 a licensed elevator contractor.

12 (2) While an elevator contractor license is in effect, it authorizes the  
 13 licensee to engage in the business of erecting, constructing, wiring, altering,  
 14 replacing, maintaining, repairing, dismantling, or servicing elevators, dumbwaiters,  
 15 escalators, and moving walks.

16 (3) WHILE AN ELEVATOR RENOVATOR CONTRACTOR LICENSE IS IN  
 17 EFFECT, IT AUTHORIZES THE LICENSEE TO ENGAGE IN THE BUSINESS OF  
 18 PERFORMING WORK:

19 (I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL  
 20 OR INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,  
 21 CEILING, FLOOR, RAIL, OR HANDLE; AND

22 (II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING  
 23 OPERATION.

24 (4) WHILE AN ELEVATOR RENOVATOR MECHANIC LICENSE IS IN  
 25 EFFECT, IT AUTHORIZES THE LICENSEE TO PERFORM WORK:

26 (I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL  
 27 OR INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,  
 28 CEILING, FLOOR, RAIL, OR HANDLE; AND

29 (II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING  
 30 OPERATION.

31 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
 32 read as follows:

33 **Article - Public Safety**

34 12-801.

35 (a) In this subtitle the following words have the meanings indicated.

1 (b) "Board" means the Elevator Safety Review Board.

2 (g) "Elevator contractor" means a person who is engaged in the business of  
 3 erecting, constructing, wiring, altering, replacing, maintaining, repairing,  
 4 dismantling, or servicing elevator units.

5 (h) "Elevator mechanic" means a person who is engaged in erecting,  
 6 constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or  
 7 servicing elevator units.

8 (I) "ELEVATOR REFINISHER" MEANS A PERSON WHO IS ENGAGED IN THE  
 9 REFINISHING OF EXISTING METAL AND WOOD ELEMENTS IN ELEVATOR CABS,  
 10 INCLUDING THE STRIPPING OF OLD LACQUER ON WOOD AND BRONZE ITEMS,  
 11 STAINING WOOD TO MATCH EXISTING FINISHES, CLEANING, POLISHING, OXIDIZING,  
 12 PAINTING, LACQUERING, AND THE REMOVING OF SCRATCHES TO MAINTAIN  
 13 EXISTING FINISHES.

14 (J) "ELEVATOR RENOVATOR CONTRACTOR" MEANS A PERSON WHO IS  
 15 ENGAGED IN THE BUSINESS OF PERFORMING WORK:

16 (1) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL OR  
 17 INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,  
 18 CEILING, FLOOR, RAIL, OR HANDLE; AND

19 (2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.

20 (K) "ELEVATOR RENOVATOR MECHANIC" MEANS A PERSON WHO PERFORMS  
 21 WORK:

22 (1) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL OR  
 23 INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,  
 24 CEILING, FLOOR, RAIL, OR HANDLE; AND

25 (2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.

26 [(i)] (L) "Elevator unit" includes an elevator, escalator, dumbwaiter, and  
 27 moving walk.

28 [(j)] (M) "Escalator" means a power driven, inclined, continuous stairway used  
 29 for raising and lowering passengers.

30 [(k)] (N) "License" includes:

31 (1) an elevator contractor license; [and]

32 (2) an elevator mechanic license;

33 (3) AN ELEVATOR RENOVATOR CONTRACTOR LICENSE; AND

34 (4) AN ELEVATOR RENOVATOR MECHANIC LICENSE.

1 [(l)] (O) "Moving walk" means a type of passenger-carrying device on which  
2 passengers stand or walk and in which the passenger-carrying surface remains  
3 parallel to its direction of motion and is uninterrupted.

4 [(m)] (P) "Safety Code" means the American National Standard/American  
5 Society of Mechanical Engineers Safety Code for elevators, dumbwaiters, escalators,  
6 and moving walks, known as ANSI A17.1-1971, and all subsequent amendments and  
7 revisions to it, as adopted by the Commissioner.

8 [(n)] (Q) "Secretary" means the Secretary of Labor, Licensing, and Regulation.  
9 12-824.

10 (a) The Board shall establish fees for the application, issuance, and renewal of  
11 licenses issued under Part III of this subtitle.

12 (b) The total amount of fees established under subsection (a) of this section  
13 may not exceed, for the 2-year term of the license:

14 (1) \$100 per year for an elevator mechanic OR ELEVATOR RENOVATOR  
15 MECHANIC; and

16 (2) \$150 per year for an elevator contractor OR ELEVATOR RENOVATOR  
17 CONTRACTOR.

18 12-826.

19 (a) Except as otherwise provided in Part III of this subtitle, a person shall be  
20 licensed by the Board as an elevator mechanic before the person erects, constructs,  
21 wires, alters, replaces, maintains, repairs, dismantles, or services elevator units in  
22 the State.

23 (b) Except as otherwise provided in Part III of this subtitle, a person shall be  
24 licensed by the Board as an elevator contractor before the person engages in the  
25 business of erecting, constructing, wiring, altering, replacing, maintaining, repairing,  
26 dismantling, or servicing elevator units in the State.

27 (C) (1) EXCEPT AS OTHERWISE PROVIDED IN PART III OF THIS SUBTITLE, A  
28 PERSON SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR  
29 CONTRACTOR BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR  
30 RENOVATING.

31 (2) BY JUNE 1, 2004, A PERSON WHO ENGAGES IN THE BUSINESS OF  
32 ELEVATOR RENOVATING FOR A BUSINESS INCORPORATED BEFORE JANUARY 1, 2002,  
33 SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR CONTRACTOR  
34 BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR RENOVATING.

35 (D) EXCEPT AS OTHERWISE PROVIDED IN PART III OF THIS SUBTITLE, A  
36 PERSON SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR  
37 MECHANIC BEFORE THE PERSON PERFORMS ELEVATOR RENOVATOR WORK.

1       [(c)]   (E)   (1)   A licensed elevator contractor is not required for removing or  
2 dismantling an elevator unit if:

3                   (i)       the elevator unit is destroyed as a result of a complete  
4 demolition of a building; or

5                   (ii)       a hoistway or wellway is demolished back to the basic support  
6 structure.

7           (2)   (i)       An individual who works as an elevator apprentice under the  
8 direct supervision of a licensed elevator mechanic OR LICENSED ELEVATOR  
9 RENOVATOR MECHANIC need not obtain a license.

10                   (ii)       An individual commonly known as an elevator helper who  
11 works under the direct supervision of a licensed elevator mechanic OR A LICENSED  
12 ELEVATOR RENOVATOR MECHANIC need not obtain a license.

13           (3)       AN ELEVATOR REFINISHER NEED NOT OBTAIN A LICENSE.

14 12-827.

15   (a)       An applicant for an elevator mechanic license shall:

16           (1)   (i)       have an acceptable combination of documented experience and  
17 education credits, with at least 3 years of recent and active work experience in the  
18 elevator industry, in construction, maintenance, and service or repair, as verified by  
19 current and previous employers; and

20                   (ii)       pass a written examination administered by the Board on the  
21 Safety Code;

22           (2)   (i)       have completed at least 3 years of recent and active work  
23 experience in the elevator industry, in construction, maintenance, and service or  
24 repair, as verified by current and previous employers; and

25                   (ii)       have a certificate of completion of the mechanic examination of  
26 a nationally recognized training program for the elevator industry such as the  
27 National Elevator Industry Educational Program or its equivalent; or

28           (3)       have a certificate of completion of an apprenticeship program for  
29 elevator mechanics that has standards substantially equivalent to those of Part III of  
30 this subtitle and is registered with the Bureau of Apprenticeship and Training of the  
31 U.S. Department of Labor or a state apprenticeship council.

32   (b)       An applicant for an elevator contractor license shall have at least 5 years of  
33 work experience in the elevator industry in construction, maintenance, service, or  
34 repair.

35   (C)       THE BOARD SHALL ADOPT REGULATIONS GOVERNING:

1           (1)     THE QUALIFICATIONS OF AN APPLICANT FOR AN ELEVATOR  
2 RENOVATOR CONTRACTOR LICENSE AND AN APPLICANT FOR AN ELEVATOR  
3 RENOVATOR MECHANIC LICENSE; AND

4           (2)     THE SCOPE OF PRACTICE OF A LICENSED ELEVATOR RENOVATOR  
5 CONTRACTOR AND A LICENSED ELEVATOR RENOVATOR MECHANIC.

6 12-828.

7       (a)     (1)     An applicant for a license shall:

8                   (i)     submit to the Board an application on the form that the Board  
9 provides;

10                  (ii)    submit to the Board any proof of eligibility that the Board  
11 requires; and

12                  (iii)   pay to the Board or designee of the Board an application fee set  
13 by the Board.

14           (2)     The application fee is nonrefundable.

15       (b)     Each application shall contain the following information:

16           (1)     if the applicant is an individual, the name, residence, and business  
17 address of the applicant;

18           (2)     if the applicant is a partnership, the name, residence, and business  
19 address of each general partner;

20           (3)     if the applicant is a domestic corporation, the name and business  
21 address of the corporation and the name and residence address of the principal officer  
22 of the corporation;

23           (4)     if the applicant is a corporation other than a domestic corporation,  
24 the name and address of the resident agent;

25           (5)     the number of years the applicant has engaged in the business of  
26 installing, altering, repairing, RENOVATING, or servicing elevators;

27           (6)     the approximate number of individuals, if any, to be employed by an  
28 applicant that is an elevator contractor OR ELEVATOR RENOVATOR CONTRACTOR  
29 and, if applicable, evidence satisfactory to the Board that the employees are or will be  
30 covered by workers' compensation insurance;

31           (7)     evidence satisfactory to the Board that the applicant is or will be  
32 covered by general liability, personal injury, and property damage insurance; and

33           (8)     any other information that the Board requires.

1 12-831.

2 (a) If an applicant qualifies for a license under Part III of this subtitle, the  
3 Board shall send the applicant a notice that states:

4 (1) the applicant has qualified for a license; and

5 (2) on receipt of a license fee set by the Board, the Board shall issue a  
6 license to the applicant.

7 (b) On payment of the license fee, the Board shall issue a license to each  
8 applicant who meets the requirements of Part III of this subtitle.

9 12-832.

10 (a) While an elevator mechanic license is in effect, it authorizes the licensee to  
11 erect, construct, wire, alter, replace, maintain, repair, dismantle, or service elevator  
12 units under the direct supervision of a licensed elevator contractor.

13 (b) While an elevator contractor license is in effect, it authorizes the licensee  
14 to engage in the business of erecting, constructing, wiring, altering, replacing,  
15 maintaining, repairing, dismantling, or servicing elevator units.

16 (C) WHILE AN ELEVATOR RENOVATOR CONTRACTOR LICENSE IS IN EFFECT,  
17 IT AUTHORIZES THE LICENSEE TO ENGAGE IN THE BUSINESS OF PERFORMING  
18 WORK:

19 (1) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL OR  
20 INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,  
21 CEILING, FLOOR, RAIL, OR HANDLE; AND

22 (2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.

23 (D) WHILE AN ELEVATOR RENOVATOR MECHANIC LICENSE IS IN EFFECT, IT  
24 AUTHORIZES THE LICENSEE TO PERFORM WORK:

25 (1) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL OR  
26 INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,  
27 CEILING, FLOOR, RAIL, OR HANDLE; AND

28 (2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.

29 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall  
30 take effect on the taking effect of Chapter \_\_\_\_\_ (S.B. 1) of the Acts of the General  
31 Assembly of 2003. If Section 2 of this Act takes effect, Section 1 of this Act shall be  
32 abrogated and of no further force and effect.

33 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency  
34 measure, is necessary for the immediate preservation of the public health or safety,  
35 has been passed by a yea and nay vote supported by three-fifths of all the members

1 electd to each of the two Houses of the General Assembly, and, except as provided in  
2 Section 3 of this Act, shall take effect from the date it is enacted.